

Patent
269/060

#11
DR
7/18/02



COPY OF PAPERS
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Sepetka, et al.

S rial No.: 09/730,215

Filed: December 5, 2000

For: IMPLANT DELIVERY ASSEMBLY
WITH EXPANDABLE
COUPLING/DECOUPLING
MECHANISM

Group Art Unit: 3761

Examiner: G. DAWSON

TERMINAL DISCLAIMER UNDER 37 CFR 1.321(c)

TECHNOLOGY CENTER R3700

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Target Therapeutics, Inc., is the owner of all rights, title, and interest in and to the above-identified application (hereinafter, the "immediate application") pursuant to an assignment recorded in the Patent and Trademark Office to Target Therapeutics, Inc., at Reel 7481, Frame 0010.

The evidentiary documents have been reviewed, and, as of the signing of this Terminal Disclaimer, to the best of assignee's and the undersigned's knowledge and belief, Target Therapeutics, Inc., is still the owner of all such rights, title, and interest.

Target Therapeutics, Inc., hereby disclaims, except as provided below, the terminal part

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of any patent granted on the immediate application that would extend beyond the expiration date of U.S. Patent No. 5,814,062, and hereby agrees that any patent so granted on the immediate application shall be enforceable only for and during such period that the legal title to said patent granted on the immediate application shall be the same as the legal title to U.S. Patent No. 5,814,062 and that this agreement is to run with any patent granted on the immediate application and be binding upon the grantee, its successors, and/or assigns.

In making the above disclaimer, Target Therapeutics, Inc. does not disclaim the terminal part of any patent granted on the immediate application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 5,814,062, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I, David T. Burse of the law firm of Lyon & Lyon LLP, represent that I am a representative authorized to make this disclaimer on behalf of Target Therapeutics, Inc.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001,

Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

LYON & LYON

Date:

6/18/02

By

DT Burse

David T. Burse
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TERMINAL DISCLAIMER TRANSMITTAL

Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is Terminal Disclaimer for the above-identified application.

- ☒ A check in the amount of **\$110.00** is enclosed to cover the Terminal Disclaimer fee.
- ☐ Charge Lyon & Lyon's Deposit Account No. **12-2475** in the amount of ____.

CERTIFICATE OF MAILING
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

June 19, 2002
Date of Deposit

Maritza Kidd
Name of Person Mailing Paper

Signature of Person Mailing Paper

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Respectfully submitted,

LYON & LYON LLP

Dated: _____

6/19/02

By: _____

David T. Burse

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